

REMARKS:

As the examiner can see, the Abstract and Specification have been amended as per the examiner's request.

Claims 1, 2, 5 and 6 were rejected under 35 USC 102(b) as anticipated by Mueller. It is believed that the amendment of claim 1 to include the limitations of claim 3 and the amendment of 5 to include the limitations of claim 7 overcome these objections.

Claims 1-8 were rejected under 35 USC 103(a) over Abrahamov, in view of Karniol and Carlini, Karniol et al., Zuardi et al., and Hollister and Gillespie.

It is noted that the above-referenced office action states on page 3 that 'it would have been obvious in the absence of evidence to the contrary to administer a pharmaceutical composition comprising both Δ^8 -THC and CBD because CBD blocks the excitatory effects of Δ^9 -THC... Δ^8 -THC is a double bond isomer of Δ^9 -THC and is a cannabinoid with lower psychotropic potency than Δ^9 -THC.'

It is respectfully requested that the examiner reconsider this position.

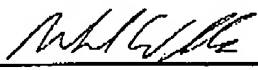
Specifically, it is noted that as discussed on page 4, lines 7-19 of the application as filed, there are chemical differences between Δ^8 -THC and Δ^9 -THC, for example, that Δ^9 -THC is easily oxidized to cannabinol whereas Δ^8 -THC does not and is in fact very stable. While Δ^8 -THC produces similar psychometric effects as does Δ^9 -THC, it is generally considered to be 50% less potent than Δ^9 -THC. Δ^8 -THC has also been shown to be a more (200%) effective anti-emetic than Δ^9 -THC. As such, while Δ^8 -THC and Δ^9 -THC are similar compounds, they

are clearly not identical nor is Δ^8 -THC simply a less effective isomer of Δ^9 -THC as in some cases, Δ^8 -THC has greater activity (as an anti-emetic).

In view of the foregoing, further and more favorable consideration is respectfully requested.

Respectfully submitted

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CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the United States Patent And Trademark Office, Fax No (571) 273-8300 on May 9, 2006

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